

**MONDAY, FEBRUARY 27, 1978**

**SIXTY-SIXTH LEGISLATIVE DAY**

The House met at 4:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Noel Clifford, Watertown, Tennessee.

Representative Bell led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 93

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

The Speaker announced that Representative Smith was excused because of business.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 817, 1553, 1565, 1584, 1587, 1647, 1654, 1663, 1675, 1797, 1941, 1991 and 2457, and House Joint Resolution Nos. 153 and 273, with his approval.

**EDDIE SISK,**  
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2306, 2473 and 2474; and House Resolution No. 105; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 2306, 2473 and 2474; and House Resolution No. 105.

CALENDAR

House Bill No. 1631 — To amend Section 56-815, Code.

On motion, House Bill No. 1631 was made to conform with Senate Bill No. 1558.

On motion, Senate Bill No. 1558, on same subject, was substituted for House Bill No. 1631.

Mr. Longley moved that Senate Bill No. 1558 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1558 by deleting from Section 1 of the bill the word "final".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1558, as amended, passed its third and final reading by the following vote:

Ayes.....	85
Noes.....	0
Present and not voting .....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Spence, Stafford, Stallings, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 85.

Representative present and not voting was: Carter — 1.

A motion to reconsider was tabled.

House Bill No. 1814 — To make provisions, signing of minor's drivers license applications.

On motion, House Bill No. 1814 was made to conform with Senate Bill No. 1765.

On motion, Senate Bill No. 1765, on same subject, was substituted for House Bill No. 1814.

Mr. Ellis moved that Senate Bill No. 1765 be passed on third and final reading.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1765 by redesignating Section 2 to be Section 3 and adding a new Section 2 as follows:

SECTION 2. As used in this act, the term "stepfather" and the term "stepparent" shall mean only that stepparent resident in the same household with the minor seeking the license.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1765, as amended, passed its third and final reading by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 92.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1837

House Bill No. 1837 — To amend Industrial Development Corporation Act.

Mr. Martin moved that House Bill No. 1837 be passed on third and final reading.

Mr. Steinhauer moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1837 by inserting the following new section immediately following section 6:

Section . The provisions of this act shall apply in counties having a population of not less than 52,000 nor more than 58,000 according to the 1970 federal census of population or any subsequent census of population.

On motion, the amendment was adopted.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1837 by inserting the following new section immediately following section 6 and by renumbering the subsequent section accordingly:

Section . No hotel, motel or other commercial lodging establishment, or apartment or other residential housing enterprise shall be purchased or otherwise acquired by a corporation under the provisions of this act after July 1, 1988.

The provisions of this section shall not affect the development or financing of any project acquired, prior to July 1, 1988, regardless of when such project is completed nor shall the provisions of this section be construed to impair, limit, abrogate or modify the contractual rights and obligations any such corporation assumes with the issuance of any bonds, notes or other forms of indebtedness or any other contract.

On motion, the amendment was adopted.

Mr. Burnett (Sumner) moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 1837 by adding the following new section 7 and renumbering the present sections accordingly:

Section 7. The provisions of this act shall apply to those counties having a population of not less than 12,200 nor more than 12,350 according to the 1970 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1837, as amended, passed its third and final reading by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Robertson),

Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 95.

A motion to reconsider was tabled.

House Bill No. 2331 — To amend Section 26-804, Code.

On motion, House Bill No. 2331 was made to conform with Senate Bill No. 2072.

On motion, Senate Bill No. 2072, on same subject, was substituted for House Bill No. 2331.

Mr. McKinney moved that Senate Bill No. 2072 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

House Bill No. 2383 — To amend Section 6-3719, Code.

Mr. McKinney moved that House Bill No. 2383 be passed on third and final reading.

Mr. Ellis moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 2383 by inserting in the amendatory language of Section 1 after the words "Division I" and before the words "of the General Sessions Court" the words "and Division II".

On motion, the amendment was adopted.

Thereupon, House Bill No. 2383, as amended, passed its third and final reading by the following vote:

Ayes.....	94
Noes.....	0
Present and not voting .....	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

Representative present and not voting was:Chiles — 1.

A motion to reconsider was tabled.

House Bill No. 1612 — To make changes relative to examination of state banks.

On motion, House Bill No. 1612 was made to conform with Senate Bill No. 1577.

On motion, Senate Bill No. 1577, on same subject, was substituted for House Bill No. 1612.

Mr. Burnett (Fentress) moved that Senate Bill No. 1577 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

Mr. Ford (Shelby) moved the House Bill No. 443 be placed on the Calendar for Monday, March 6, 1978, which motion prevailed.

House Bill No. 1850 — To make provisions, motor vehicle registration.

Mr. Ellis moved that House Bill No. 1850 be passed on third and final reading.

Mr. Yelton moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1850 by deleting in the amendatory language in Section 1 the phrase "The owner shall submit, as a part of his application and in form prescribed by the commissioner, a written statement under penalty of perjury, that the vehicle to be registered is an antique motor vehicle as defined in this paragraph, and that".

AND FURTHER AMEND, by capitalizing the "u" in "under".

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1850 by changing "SECTION 2." to SECTION 3." and inserting a new SECTION 2 as follows:

"SECTION 2. T.C.A., Section 59-421, is amended by inserting a new sentence after the last sentence of the second paragraph as follows: "Any person may obtain an antique motor vehicle license plate for a car over twenty-five (25) years old which is still in use for general transportation by paying the normal yearly fee as prescribed by law."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1850, as amended, passed its third and final reading by the following vote:

Ayes.....	57
Noes.....	13
Present and not voting .....	18

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Bragg, Bussart, Butler, Carter, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Shelby), Fuqua, Gaia, Hillis, Hood, Johnson, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Stafford, Stallings, Starnes, Steinhauer, Watson, Withers, Wood, Work, Yelton and Young — 57.

Representatives voting no were: Bewley, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Dixon, Ford (Cocke), Hurley, Kernell, Robertson, Robinson (Washington), Scruggs and Spence — 13.

Representatives present and not voting were: Ashford, Atchley, Buck, Byrd, Cawood, Chiles, Gill, Hall, Henry, Ledford, Murray (Madison), Richards, Tanner, Turner, Wallace, Webb, Wolfe and Mr. Speaker McWherter — 18.

A motion to reconsider was tabled.

Mr. Bishop asked to be recorded as changing his vote from "aye" to "no" on House Bill No. 1850.

Mr. Yelton asked to be recorded as changing his vote from "aye" to "no" on House Bill No. 1850.

Mr. Fuqua moved that House Bill No. 1627 be placed on the Calendar for Monday, March 6, 1978, which motion prevailed.

House Bill No. 1633 — To make provisions, unclaimed property.

On motion, House Bill No. 1633 was made to conform with Senate Bill No. 1628.

On motion, Senate Bill No. 1628, on same subject, was substituted for House Bill No. 1633.

Mr. Bragg moved that Senate Bill No. 1628 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	66
Noes.....	10
Present and not voting .....	9

Representatives voting aye were: Atchley, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burleson, Burnett (Fentress), Bussart, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Shelby), Gaia, Gill, Good, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Ledford, Love, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Nolan, Ozment, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Starnes, Steinhauer, Turner, Watson, Withers, Wolfe, Work, Yelton, Young and Mr. Speaker McWherter — 66.

Representatives voting no were: Bell, Butler, Fuqua, Lashlee, Naifeh, Robertson, Scruggs, Stafford, Stallings and Tanner — 10.

Representatives present and not voting were: Davidson (Wayne), Ford (Cocke), Hall, McAfee, Phillips, Richards, Spence, Wallace and Webb — 9.

A motion to reconsider was tabled.

Mr. Bishop asked to be recorded as changing his vote from aye to no on Senate Bill No. 1628.

House Bill No. 1676 — To revise and codify statutes of state.

On motion, House Bill No. 1676 was made to conform with Senate Bill No. 1626.

On motion, Senate Bill No. 1626, on same subject, was substituted for House Bill No. 1676.

Mr. Burnett (Fentress) moved that Senate Bill No. 1626 be passed on third and final reading.



Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1626 by inserting between the last two paragraphs in Code Section 1-214, in section 1 of the bill, the following:

All references and amendments in the acts of the 1978 session of the General Assembly to Code sections included in this reenactment shall be deemed to be references or amendments to provisions of law as stated in this reenactment.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1626, as amended, passed its third and final reading by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 95.

A motion to reconsider was tabled.

Mr. Longley asked to be recorded as voting “no” on Senate Bill No. 1628.

House Bill No. 2000 — To enact the Amusement Industry Regulatory Commission Act.

Mr. Carter moved that House Bill No. 2000 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2000 be inserting between the words “such player” and “may receive” in Subsection (d) (3) of Section 2 of the bill the words “as allowed by existing law”.

On motion, the amendment was adopted.

Mr. Murphy (Shelby) moved to amend as follows:

## AMENDMENT NO. 2

Amend House Bill No. 2000 by inserting between the first and second sentences of Section 13 of the bill the following new sentence:

"All enforcement, investigation, administration, and other operating costs of the Commission shall be funded solely from the revenues collected under the provisions of this act".

On motion, the amendment was adopted.

Mr. Burks moved to amend as follows:

## AMENDMENT NO. 3

Amend House Bill No. 2000 by deleting the last sentence of Section 13 and by substituting instead the following:

Any revenues received in excess of the amount required to fund the commission shall be allocated to reimburse elderly low-income taxpayers for state or local property taxes in accordance with the provisions of Tennessee Code Annotated, Section 67-645.

Mr. Rhinehart moved to amend Amendment No. 3 as follows:

## AMENDMENT NO. 1 TO AMENDMENT NO. 3

Amend Amendment No. 3 by striking ammendatory language and substitute by deleting the last sentence of section 13 and substituting instead the following:

Any revenues received in excess of the amount required to fund the commission each year to an amount not to exceed two million seven hundred thousand dollars (\$2,700,00) shall be paid into the Tennessee consolidated retirement system to provide funding for increases in retirement benefits under the provisions of Tennessee Code Annotated, section 8-3923.

Mr. Stafford moved that Amendment No. 1 to Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.....	46
Noes.....	42
Present and not voting .....	2

Representatives voting aye were: Atchley, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Bussart, Byrd, Cawood, Chiles, DeBerry, Dixon, Gill, Good, Hall, Hood, Hurley, Jensen, Johnson, King, Lanier, Ledford, McAfee, Martin, Miller, Moore, Murray (Franklin), Nolan, Phillips, Richards, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Small, Spence, Stafford, Starnes, Sterling, Wallace, Wolfe and Wood — 46.

Representatives voting no were: Ashford, Bell, Burnett (Fentress), Butler, Carter, Clark, Cobb, Darnell, Davidson (Robertson), Davis, DePriest, Elkins, Ellis, Fisher, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hillis, Lashlee, Longley, Love, McKinney, Murphy (Davidson), Murphy (Shelby), Murray (Madison), Naifeh, Ozment, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Shockley, Stallings, Steinhauer, Tanner, Turner, Watson, Webb, Williams and Work — 42.

Representatives present and not voting were: Henry and Yelton — 2.

Mr. Burks moved the previous question on Amendment No. 3, which motion prevailed by the following vote:

Ayes.....	64
Noes.....	27
Present and not voting .....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Sumner), Butler, Byrd, Cawood, Chiles, Copeland, Davidson (Wayne), Davis, Dixon, Elkins, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hood, Hurley, Jensen, Johnson, King, Lanier, Lashlee, Ledford, McAfee, Martin, Miller, Moore, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Richards, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Small, Stafford, Starnes, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe and Yelton — 64.

Representatives voting no were: Bussart, Clark, Cobb, Darnell, Davidson (Robertson), DeBerry, Ellis, Ford (Cocke), Hillis, Longley, Love, McKinney, Murphy (Davidson), Murphy (Shelby), Ozment, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Shockley, Spence, Stallings, Steinhauer, Withers, Wood and Work — 27.

Representative present and not voting was: Brewer — 1.

Thereupon, Amendment No. 3 was adopted by the following vote:

Ayes.....	90
Noes.....	1
Present and not voting .....	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Moore, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work and Yelton — 90.

Representative voting no was: McKinney — 1.

Representatives present and not voting were: Murphy (Shelby) and Rhinehart — 2.

Mr. Ashford moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 2000 by deleting from the fifth sentence of the first paragraph of Section 3 of the bill the words "chief justice of the Supreme Court" and substituting instead the words "district attorneys general conference".

FURTHER AMEND by deleting from the first sentence of the second paragraph of Section 3 of the bill the words "chief justice" and substituting instead the words "district attorneys general conference's".

On motion, the amendment was adopted.

Mr. Chiles moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 2000 by deleting Section 15 in its entirety and substituting in lieu thereof the following:

"Section 15. This act shall take effect on January 31, 1979, the public welfare requiring it."

Mr. Murray (Franklin) moved that Amendment No. 5 be tabled, which motion prevailed.

Mr. Byrd moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 2000 by adding a new Section 13 to read as follows and by renumbering the present sections accordingly:

Section 13. Nothing in this act shall be construed to affect or diminish the powers of incorporated municipalities, which shall have the full power and authority to regulate, restrain or prohibit gambling on in-line bingo pinball machines or pinball machines generally within their corporate limits.

Mr. McKinney moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes.....	58
Noes.....	30
Present and not voting .....	3

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Chiles, Clark, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Good, Hillis, Hood, Johnson, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Spence, Stafford, Stallings, Steinhauer, Webb, Withers, Work and Yelton — 58.

Representatives voting no were: Ashford, Brewer, Burks, Bussart, Byrd, Cawood, Cobb, Elkins, Ford (Cocke), Gill, Hurley, Jensen, Kernell, Martin, Miller, Nolan, Richards,

Richardson, Small, Starnes, Sterling, Tanner, Turner, Wallace, Watson, Williams, Wolfe, Wood, Young and Mr. Speaker McWherter — 30.

Representatives present and not voting were: Hall, Scruggs and Schockley — 3.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 7

Amend House Bill No. 2000 by deleting from Sec 11 (b) in line 11 the words  
“if determinable”

On motion, the amendment was adopted.

Mr. Jensen moved the previous question, which motion prevailed by the following vote:

Ayes.....	66
Noes.....	22

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davis, DePriest, Dixon, Ellis, Fisher, Fleming, Ford (Shelby), Gaia, Good, Henry, Hillis, Hood, Jensen, Johnson, Kernell, King, Lanier, Ledford, Longley, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Spence, Stafford, Starnes, Steinhauer, Wallace, Watson, Webb, Wolfe, Work and Yelton — 66.

Representatives voting no were: Bussart, Byrd, Davidson (Wayne), DeBerry, Elkins, Fuqua, Gill, Hall, Hurley, Lashlee, Martin, Ozment, Richards, Richardson, Robertson, Scruggs, Small, Stallings, Sterling, Tanner, Turner and Wood — 22.

Thereupon, House Bill No. 2000, as amended, passed its third and final reading by the following vote:

Ayes.....	61
Noes.....	32
Present and not voting .....	3

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Carter, Chiles, Copeland, Davis, DePriest, Dixon, Ellis, Fisher, Ford (Cocke), Ford (Shelby), Fuqua, Good, Hall, Henry, Hillis, Hood, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Spence, Stafford, Stallings, Starnes, Steinhauer, Webb, Withers, Work and Yelton — 61.

Representatives voting no were: Ashford, Bussart, Byrd, Cawood, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Elkins, Gaia, Gill, Hurley, Jensen, Martin, Miller, Nolan, Ozment, Richards, Richardson, Robinson (Hamilton), Scruggs, Shockley, Small, Sterling, Tanner, Turner, Wallace, Watson, Williams, Wolfe, Wood, and Mr. Speaker McWherter — 32.

Representatives present and not voting were: Clark, DeBerry and Fleming — 3.

A motion to reconsider was tabled.

Mr. Davidson (Wayne) asked to be recorded as changing his vote from 'aye' to 'no' on House Bill No. 2000.

Mr. Wallace asked to be recorded as changing his vote from 'aye' to 'no' on House Bill No. 2000.

## EXPLANATION OF VOTE

### HOUSE BILL NO. 2000

I voted no because I held a yes vote to be establishing the permanency of pinball machine gambling in Tenn; to which I am opposed. To place a tax and gain revenue therefrom will make it even more difficult to prohibit the practice. I voted for the amendment to give the revenue derived to the elderly but do not feel this to be the proper way to get this revenue.

BOBBY WOOD

House Bill No. 1949 — To make certain provisions, coon dog training.

• Mr. Tanner moved that House Bill No. 1949 be passed on third and final reading.

Mr. Robinson (Washington) moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 1949 by inserting the following new section immediately following section 1 and by renumbering the subsequent section accordingly:

SECTION . Tennessee Code Annotated Section 51-441 is further amended by deleting the word "Washington" wherever it appears in the section.

On motion, the amendment was adopted.

Mr. Tanner moved to amend as follows:

### AMENDMENT NO. 2

Amend House Bill No. 1949 by deleting Section 1 in its entirety and substituting therefor the following:

Section 1. Tennessee Code Annotated, Section 51-441, is amended by deleting the words "and Obion Counties" from the third paragraph of the section, and by inserting the following new paragraph after the fourth paragraph:

Notwithstanding other provisions of this section, it shall be lawful to train coon dogs in Obion, Weakley, and Henry Counties at any time of the year except during the period each year from March 1 to May 15, so long as coons are not taken except during open season thereon.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1949, as amended, passed its third and final reading by the following vote:

Ayes.....	87
Noes.....	2
Present and not voting .....	2

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Young — 87.

Representatives voting no were: Atchley and McAfee — 2.

Representatives present and not voting were: Good and Richardson — 2.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 2191 — To make certain provisions, audits of development districts.

Mr. Tanner moved that House Bill No. 2191 be passed on third and final reading.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2191 by deleting the amendatory language of Section 1 in its entirety and substituting the following:

The annual reports and all books of accounts and financial records of all funds received by grant contract or otherwise from state, local, or federal sources shall be subject to audit annually by the comptroller of the treasury. The audit may be performed by a licensed independent public accountant selected by the board and approved by the comptroller. The cost of any audit shall be paid by the development district.

The comptroller of the treasury shall insure that the audits are prepared in accordance with generally accepted governmental auditing standards and determine if the audits meet minimum audit standards prescribed by the comptroller. No audit may be accepted as meeting the requirements of this section until approved by the comptroller.

All audits shall be completed as soon as practicable after the end of the fiscal year of the development district. One (1) copy of each audit shall be furnished to each member of the board of the development district and the comptroller of the treasury. Copies of each audit shall also be made available to the press.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2191, as amended, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

Mr. Elkins requested that he be shown as voting aye on Senate Bill No. 1626.

Mr. Murphy (Shelby) asked to be recorded as voting aye on House Bill No. 2191.

House Bill No. 1961 — To amend Section 56-1156, Code.

Mr. Turner moved that House Bill No. 1961 be passed on third and final reading.

Mr. Turner moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 1961 by adding at the end of the amendatory language in Section 1 the following:

if said written request is made within six (6) months after the cancellation date of the policy.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1961, as amended, passed its third and final reading by the following vote:

Ayes.....	92
Noes.....	0



Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 92.

A motion to reconsider was tabled.

Mr. Murphy (Davidson) moved that House Bill No. 2102 be placed on the Calendar for Monday, March 6, 1978, which motion prevailed.

House Bill No. 2184 — To amend Section 54-211, Code.

Mr. Murphy (Davidson) moved that House Bill No. 2184 be passed on third and final reading.

Mr. Robertson moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 2184 by adding the following new section:

( ) The provisions of this act shall not apply to counties having a population of not more than 13,950, nor less than 13,945 according to the 1970 Federal census or any subsequent census.

On motion, the amendment was adopted.

Mr. Murphy (Davidson) moved to amend as follows:

#### AMENDMENT NO. 2

Amend House Bill No. 2184 by adding a new section to be designated as Section 2 and by renumbering the remaining section accordingly.

If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provision of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Richards moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 2184 by adding a new section to read as follows:

**SECTION** . The provisions of this act shall not apply to any county with a population of not less than two hundred seventy-five thousand (275,000) persons nor more than four hundred thousand (400,000) persons according to the 1970 federal census, or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2184, as amended, passed its third and final reading by the following vote:

Ayes.....	93
Noes.....	0
Present and not voting .....	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 93.

Representatives present and not voting were: Ford (Cocke), Richards and Robertson — 3.

A motion to reconsider was tabled.

Mr. Yelton moved that House Bill No. 1803 be placed on the Calendar for Thursday, March 9, 1978, which motion prevailed.

House Bill No. 1752 — To make provisions, unlawful insurance practices.

On motion, House Bill No. 1752 was made to conform with Senate Bill No. 1776.

On motion, Senate Bill No. 1776, on same subject, was substituted for House Bill No. 1752.

Mr. Richards moved that Senate Bill No. 1776 be passed on third and final reading.

Mr. Richards moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1776 by adding a new section as follows:

Nothing contained in this act shall apply to any fraternal benefit society.

On motion, the amendment was adopted.

Mr. Richards moved to amend as follows:

# AMENDMENT NO. 2

Amend Senate Bill No. 1776 by adding the following new subsection to 56-1204(5):

Making any financial statement or report whereby a contingent premium or any other contingent assessment is included or shown as an asset of the company.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1776, as amended, passed its third and final reading by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 96.

A motion to reconsider was tabled.

House Bill No. 2267 — To create advisory council, Vocational Education.

Mr. Lashlee moved that House Bill No. 2267 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

# AMENDMENT NO. 1

Amend House Bill No. 2267 by adding the following new section to be numbered section 2 and renumbering the present section accordingly:

Section 2. This act shall be contingent upon the continuation of federal funds. No state funds shall be expended for the implementation of this act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2267, as amended, passed its third and final reading by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 95.

A motion to reconsider was tabled.

House Bill No. 2158 — To make certain provisions, offense of rape.

Mr. Murphy (Shelby) moved that House Bill No. 2158 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 95.

A motion to reconsider was tabled.

House Bill No. 2045 — To regulate suspension of sentence and probation.

Mr. Murphy (Shelby) moved that House Bill No. 2045 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson

(Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

House Bill No. 2172 — To amend Section 49-2914, and to repeal Section 49-2901, Code.

Mr. Lashlee moved that House Bill No. 2172 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 95.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 182 — Relative to commending Department of Safety, surplus in budget.

The Speaker referred Senate Joint Resolution No. 182 to the Committee on Transportation.

Senate Joint Resolution No. 196 — Relative to memory, U. G. Turner.

Under the rules, Senate Joint Resolution No. 196 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 199 — Relative to Nashville Aquatic Club.

Under the rules, Senate Joint Resolution No. 199 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 200 — Relative to memory, Walter Thomas Verble.

Under the rules, Senate Joint Resolution No. 200 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 202 — Relative to congratulating Eugene B. "Red" Etter.

Under the rules, Senate Joint Resolution No. 202 was referred to the Committee on Calendar and Rules.

# UNFINISHED BUSINESS

Mr. Ashford moved that the House reconsider its action in the passage of Senate Bill No. 2016, as amended.

Mr. McKinney moved that the motion to reconsider be tabled, which motion prevailed by the following vote:

Ayes.....	54
Noes.....	44

Representatives voting aye were: Bell, Bissell, Blackburn, Bragg, Brewer, Buck, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Clark, Cobb, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Good, Hillis, Hood, Hurley, Kernell, King, Lashlee, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Ozment, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Shockley, Starnes, Steinhauer, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 54.

Representatives voting no were: Ashford, Atchley, Bewley, Bishop, Burks, Burleson, Byrd, Carter, Cawood, Chiles, Copeland, Davidson (Wayne), Dixon, Elkins, Fuqua, Gill, Hall, Henry, Jensen, Johnson, Lanier, Ledford, Longley, Martin, Moore, Naifeh, Nolan, Richards, Richardson, Robertson, Robinson (Washington), Scruggs, Small, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams and Wolfe — 44.

## EXPLANATION OF VOTE

### SENATE BILL NO. 2016

Over three years ago, I voted for a professional organization bill sponsored by Representative McKinney which passed this house. I support classroom teachers and I feel that the administrative overhead in many school systems has become unduly burdensome. However, this bill will create an organization which will include factions devoted to the maintenance of bureaucracy. I would like to see classroom teachers given a strong voice, and I feel that we can best do that by reconsidering this bill in its present form. We need a better educational atmosphere in the classrooms of this state and we must remember that children should be our first priority in decisions made by the Tennessee General Assembly and Senate Bill No. 2016 does not presently do that. For these reasons, I support reconsideration of Senate Bill No. 2016.

ED WILLIAMS

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Resolution No. 109 out of order, which motion prevailed.

House Resolution No. 109 — Relative to directing a certain investigation in the Hamilton County Criminal Court — By Hillis and Rhinehart.

The Speaker referred House Resolution No. 109 to the Committee on Judiciary.

Mr. Wolfe moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 425 out of order, which motion prevailed.

House Joint Resolution No. 425 — Relative to congratulating Stan Holt of Savannah —  
By Wolfe and Davidson (Wayne).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wolfe, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wolfe moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 426 out of order, which motion prevailed.

House Joint Resolution No. 426 — Relative to congratulating Don Wolfe of Savannah —  
By Wolfe and Davidson (Wayne).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wolfe, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 431 out of order, which motion prevailed.

House Joint Resolution No. 431 — Relative to expressing appreciation to the Madison County Volunteer Fire Department — By Wallace.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 433 out of order, which motion prevailed.

House Joint Resolution No. 433 — Relative to congratulating the Jackson Northside High School football team — By Wallace.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Richards moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 435 out of order, which motion prevailed.

House Joint Resolution No. 435 — Relative to honoring Mr. Felix Gaiter — By Richards, Robinson (Hamilton), Miller, Jensen, Hall, Nolan and Scruggs.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Richards, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Pickering moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 437 out of order, which motion prevailed.

House Joint Resolution No. 437 — Relative to extending sympathies to the citizens of Waverly and Humphreys County — By Pickering, Work, Lashlee and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Pickering, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Martin moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 438 out of order, which motion prevailed.

House Joint Resolution No. 438 — Relative to honoring Memphis Slim — By Brewer, Martin, Sterling, Moore, DeBerry, Ford (Shelby), Spence, Byrd, Turner, Withers and Murphy (Shelby).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Martin, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Martin moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 442 out of order, which motion prevailed.

House Joint Resolution No. 442 — Relative to expressing sympathy upon the death of Judge Greenfield Q. Polk — By Martin, Ashford, Murphy (Shelby), Withers, Williams, Moore, Sterling, Small, Byrd and Spence.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Martin, the resolution was adopted.

A motion to reconsider was tabled.

#### MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 797 with his veto.

EDDIE SISK  
Counsel to the Governor.



Dear Speaker McWherter:

I hereby veto House Bill 797.

House Bill 797 would authorize the Tennessee Higher Education Commission to contract with accredited private institutions of higher education in Tennessee if it is determined that such institutions could provide either facility or program needs.

I am persuaded that this legislation is unnecessary since the University of Tennessee system and the State Board of Regents system are both currently authorized to enter into such contractual agreements, and presently have such contracts in force.

It is for this reason that I take this action.

Sincerely,  
Ray Blanton

SECOND ROLL CALL

A roll call was taken with the following results:

Present ..... 97

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 97.

Mr. Jensen moved that Rule No. 75 be suspended in regard to House Bills Nos. 2500, 2508 and 2512 (prefiled) to allow said bills to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 419 — Relative to congratulating Mr. and Mrs. James Smith — By Hillis and Rhinehart.

Under the rules, House Joint Resolution No. 419 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 420 — Relative to preserving Montlake — By Carter and Watson.

The Speaker referred House Joint Resolution No. 420 to the Committee on Conservation and Environment.

House Joint Resolution No. 421 — Relative to congratulating the Lady Vols — By Scruggs, Nolan, Miller, DeBerry, Jensen, Wood, Shockley, Robinson (Hamilton), Richards, Robertson, Ford (Cocke), Good, Robinson (Washington), Webb, Watson, Chiles, Robinson (Davidson), Tanner, Butler, Bewley, Burleson, Hood, Yelton, Hillis, Stallings, Murray (Madison), Lashlee, Wolfe, Hall, Johnson, Richardson, Atchley, Henry, Carter, McAfee, Copeland, Davis, Murray (Franklin), Phillips, Bell, Dixon, Fisher, Sterling, Ozment, Fleming, Elkins, Burks, Ford (Shelby), Young, Gill, Gaia, Buck, Stafford, Bishop, Davidson (Wayne), Bussart, Love, McKinney, Pruitt, King, Pickering and Mr. Speaker McWherter.

Under the rules, House Joint Resolution No. 421 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 424 — Relative to commending Nellie Kimber and Elsie Curtis — By Starnes and Mr. Speaker McWherter.

Under the rules, House Joint Resolution No. 424 was referred to the Committee on Calendar and Rules.

### INTRODUCTION OF BILLS

House Bill No. 2503 — To regulate establishment, certain sanitary landfills — By Robertson.

Passed first reading.

House Bill No. 2504 — To repeal Chapter 349, Private Acts of 1935 — By Fisher.

Passed first reading.

House Bill No. 2505 — To amend Chapter 260, Private Acts, 1974 — By Moore, Gill, Spence, King, Kernell, Gaia, Byrd, Turner, Ford (Shelby) and Ashford.

Passed first reading.

House Bill No. 2506 — To make certain provisions, elevators and dumbwaiters — By Jensen and Burnett (Fentress).

Passed first reading.

House Bill No. 2507 — To make certain provisions, sheriffs and deputies — By Miller.

Passed first reading.

### SENATE BILLS ON FIRST READING

Senate Bill No. 1802 — To amend Section 53-2502, Code.

Passed first reading.

Senate Bill No. 1943 — To amend Section 5-819, Code.

Passed first reading.

Senate Bill No. 1944 — To amend Section 5-1047, Code.

Passed first reading.

Senate Bill No. 1945 — To amend Section 9-1203, Code.

Passed first reading.

Senate Bill No. 1946 — To amend Section 6-925, Code.

Passed first reading.

Senate Bill No. 1947 — To amend Section 49-714, Code.

Passed first reading.

Senate Bill No. 1996 — To enact Tennessee Savings and Loan Act.

Passed first reading.

Senate Bill No. 2195 — To amend Chapter 275, Private Acts, 1970.

Passed first reading.

Senate Bill No. 2246 — To enact Tennessee Cooperative Association Act.

Passed first reading.

### HOUSE BILLS ON SECOND READING

House Bill No. 2500 — To amend Section 51-441, Code.

Passed second reading and referred to Committee on Conservation and Environment.

House Bill No. 2501 — To permit killing of red foxes, Tipton County.

Passed second reading and referred to Committee on Conservation and Environment.

House Bill No. 2502 — To amend Section 67-5814, Code.

Passed second reading and referred to Committee on Finance, Ways and Means.

### STANDING COMMITTEE REPORT

#### FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1668 (with amendment).

BRAGG, Chairman.

Under the rules, House Bill No. 1668 was transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, March 1, 1978: House Bills Nos. 1984, 2046, 1956, 1806, 2250, 2251, 2252, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2005, 1898, 1744, 2326, 2002 and 1940.

LANIER, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1765 — To enact Rental Location Agent Act;

2390 — To amend Section 63-603, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 663; and House Resolutions Nos. 93 and 107; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 663; and House Resolutions Nos. 93 and 107.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1837, 1961, 2000, 2045, 2158, 2172, 2191 and 2267; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

## LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2461, 2465, 2467 (with amendment), 2468, 2469, 2479, 2493, 2494, 2495, 2496 and 2497.

## MOTIONS

On motion of Mr. Murray (Madison), House Bills Nos. 2249 and 2253 were recalled from the Committee on Calendar and Rules.

On motion of Mr. Murray (Madison), House Bills Nos. 2249 and 2253 were withdrawn from the House.

On motion of Mr. Murray (Madison), House Bill No. 2344 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Murray (Madison), House Bill No. 2344 was withdrawn from the House.

On motion of Mr. Ellis, House Bill No. 1813 was recalled from the Committee on State and Local Government.

On motion of Mr. Ellis, House Bill No. 1813 was withdrawn from the House.

On motion of Mr. Lashlee, House Bill No. 2270 was recalled from the Committee on Education.

On motion of Mr. Lashlee, House Bill No. 2270 was withdrawn from the House.

On motion of Mr. Watson, House Bill No. 2433 was recalled from the Committee on Conservation and Environment.

On motion of Mr. Watson, House Bill No. 2433 was referred to the Committee on Finance, Ways and Means.

## SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 32 — Bragg, Bewley, Burnett (Fentress), Murray (Madison), Lashlee, Mr. Speaker McWherter.

House Bill No. 2011 — Love.

House Bill No. 2296 — Nolan.

House Joint Resolution No. 304 — Davidson (Robertson).

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 271, 344, 346, 373, 380, 381, 383, 384, 387, 388, 390, 399 and 403; also, House Bills Nos. 487, 1716, 1717 and 2059; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

273 — To amend Title 26, Chapter 4, Code;

1970 — To amend Section 36-801, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 663, 2306, 2473 and 2474; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

325 — Relative to proclaiming June 1, 1978 as tourist appreciation day; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

529 — To establish post-commitment procedures, certain juveniles;

726 — To amend Chapter 123, Private Acts, 1941;

879 — To require certain safety equipment, public swimming places;

1482 — To amend Section 6-127, Code;

1533 — To repeal certain road laws, Washington County;

1534 — To regulate bear hunting, Unicoi County;

1684 — To amend Section 9-803, Code;

1827 — To amend Section 3-103, Code;

1936 — To change name of "Gray Station" to "Gray";

2451 — To make certain provisions, Rhea County government; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

175 — Relative to interchange, Cleveland State Community College;

186 — Relative to designating land, memorial to Overmountain Men;

187 — Relative to appointment, Dexter Rains, Tennessee Energy Authority; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1187 — To create Trust Company of Tennessee;

1619 — To amend Section 2-618, Code;

1651 — To amend Chapter 276, Acts of 1831;

1668 — To amend Sections 2-211 and 2-212, Code;

1696 — To create office, Criminal Investigator, Fifth Judicial Circuit;

1761 — To amend Section 3-103, Code;

1773 — To amend Section 40-4002, Code;

1813 — To amend Section 40-2007, Code;

1829 — To amend Section 57-205, Code;

1850 — To amend Campaign Financial Disclosure Act of 1975;

1867 — To amend prevailing wage act of 1975;

2215 — To require licensing, transient merchants; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

NOTICE TO OVERRIDE VETO

MR. SPEAKER: I hereby file notice under House Rule No. 76 that I plan to move House Bill No. 797 for passage, notwithstanding the objections of the Executive.

S. THOMAS BURNETT.

Under the rules, the notice lies over.

On motion of Mr. Burnett (Fentress), the House adjourned until 1:00 p.m., Wednesday, March 1, 1978.